

Remarks

1. Summary of the Office Action

In the office action mailed August 5, 2008, the Examiner rejected claims 1-4, 6-7, 9-15, and 17-18 under 35 U.S.C. § 103(a) as being allegedly obvious over U.S. Patent No. 7,085,579 (Mizutani) in view of U.S. Patent No. 6,768,720 (Kamstra) and U.S. Patent No. 5,893,114 (Yao).

2. Status of the Specification

Applicant has amended the specification to correct a typographical error on page 13. There, the specification stated: "By sending keep specify that the keepalive signal be sent to an IP address of the communication server, if it would be worthwhile to notify the communication server that the participating station is still engaged in the session." Applicant submits that the meaning of this text in the specification was clear. In view of the error in the text "sending keep specify that", Applicant has revised the sentence to convey the same meaning that it was understood to convey, by now stating: "Sending the keepalive signal to an IP address of the communication server would be worthwhile, as it would ~~to~~ notify the communication server that the participating station is still engaged in the session." Applicant believes this change does not add new matter.

Applicant has also added to the same paragraph of the specification the language "The mobile station may send the keepalive signal into the radio access network for transmission, in turn, into the packet-switched network." This language is taken from original claim 7, which stated: ". . . wherein sending the keepalive signal into the radio access network comprises sending the keepalive signal into the radio access network for transmission, in turn, into the packet-switched network." As this language was included in the application as originally filed, adding the language into the description does not constitute addition of new matter.

3. Status of the Claims

Applicant has cancelled claims 1-4, 6-7, 9-15, and 17-18 and provided a clean set of claims 19-39, of which claims 19, 27, 34, and 39 are independent and the remainder are dependent.

Each of the independent claims includes limitations based on those that were recited in claim 7 (now cancelled). That claim recited that the keepalive signal sent from the wireless client device to the radio access network to cause resetting of the radio link timer is sent for transmission, in turn, from the radio access network to a destination on the packet-switched network. Dependent claims 20, 28, and 35 further recite that the destination on the packet-switched network is a communication server that bridges voice-over-packet communications between the wireless device and one or more other devices. As explained in the specification (e.g., at page 13), sending the keepalive signal to the communication server can advantageously notify the communication server that a participating station is still engaged in a session. (This would be particularly advantageous in the scenario where the communication server maintains a session-timer as discussed in the specification at pages 10 and 14.)

4. Response to the Rejections

Applicant submits that the claim set as rewritten patentably distinguishes over the cited art.

At a minimum, Applicant submits that the Examiner erred in rejecting claim 7 (now incorporated in substance into the independent claims). In rejecting that claim, the Examiner asserted that the Mizutani reference teaches the method of claim 1, wherein the radio access network provides connectivity with a packet-switched network, and wherein sending the keepalive signal into the radio access network comprises sending the keepalive signal into the

radio access network for transmission, in turn, into the packet-switched network. For this, the Examiner relied on Mizutani's disclosure at column 7, lines 38-45. A review of Mizutani shows, however, that Mizutani does not teach this.

Mizutani teaches having a mobile station send a keepalive packet to a BSC, which is an element of the radio access network, and the BSC sending an acknowledgement in response to receipt of the keepalive packet. (*See, e.g.*, Mizutani at column 7, lines 28-32; column 12, lines 25-33). Sending a keepalive packet to the BSC functions to reset the radio link timer. However, it does not provide the *added* benefit of Applicant's invention, as the transmission to the BSC is not for transmission, in turn, from the radio access network to a destination on the packet-switched network. In addition, considering Applicant's claims and disclosure related to the destination being the communication server, Mizutani's limited teaching of sending the keepalive packet to the BSC would not provide the advantageous function of a keepalive signal functioning to *both* reset the radio-link timer *and* be transmitted to the communication server (*e.g.*, for possible use to reset a session-timeout timer maintained by the communication server).

Because the Examiner based the obviousness rejection of claim 7 on an erroneous reading of Mizutani, the Examiner did not establish *prima facie* obviousness of claim 7 under M.P.E.P. § 2142 (requiring rational underpinnings to support an obviousness conclusion). Now that the substance of claim 7 is incorporated into each of the independent claims, Applicant submits that the independent claims are allowable. Furthermore, Applicant submits that the dependent claims are allowable for at least the reason that they depend from the allowable independent claims. And Applicant additionally submits that dependent claims 20, 28, and 35 are allowable for the additional reason that they recite the keepalive message being transmitted in

turn from the radio access network to a communication server that bridges communications between the wireless device and one or more other devices.

Applicant does not acquiesce in any assertion in the office action that is not addressed by this response.

For the foregoing reasons, Applicant submits that all of the pending claims 19-39 are allowable. Therefore, Applicant respectfully requests favorable action.

Should the Examiner wish to discuss this case with the undersigned, the Examiner is invited to call the undersigned at 312-913-2141.

Respectfully submitted,

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